

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

LANCE ARMSTRONG,

Plaintiff,

v.

Civ. Action No. 1:12-cv-00606-SS

UNITED STATES ANTI-DOPING
AGENCY and TRAVIS TYGART, In His
Official Capacity as Chief Executive Officer
of the United States Anti-Doping Agency,

Defendants.

AFFIDAVIT OF SHAWN O. FARRELL

I, Shawn O. Farrell, under penalty of perjury, declare and state:

1. I am the Technical Director for USA Cycling ("USAC"), and have been employed in that position since 2003. I have not held any other positions with USA Cycling.
2. The statements contained in this affidavit are based on personal knowledge or upon my review of the corporate records of USAC, or verification of information with personnel employed by USAC during the periods in question.
3. USAC is the National Governing Body for the sport of cycling in the United States, is a member of the United States Olympic Committee (USOC), and is recognized as the National Federation for cycling in the United States by the International Cycling Union (UCI).
4. As the Technical Director for USAC I am familiar with USAC's rules, of the standards relating to membership in USAC, and the responsibilities of USAC member athletes under the anti-doping rules of the USOC and the United States Anti-Doping Agency (USADA).

5. The members of USAC consist of those individuals who have applied to USAC for a cycling license and have been granted a license.

6. The records of USAC reflect that Lance Armstrong was a member of USAC in 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2008, 2009, 2010 and 2011. Mr. Armstrong was also a member in some years prior to 1998.

7. USAC's license applications state that USAC licensees are subject to USAC regulations.

8. On its current official website, under "Member Resources," USAC publishes a "Health & Anti-Doping" statement that states "By using a USA Cycling license, you agree to know and abide by the applicable rules and regulations of USA Cycling and the UCI, including the anti-doping rules and procedures as set forth by USADA, the UCI or WADA . . .".

9. Attached hereto as Exhibits A, B, C, D, E, F, G are international license application forms used by USA Cycling in the years 2003 – 2005 and 2008 – 2011. USAC's records indicate that Lance Armstrong obtained an international license through application to USAC and therefore would have completed an international license application in each of these years.

10. In 2003 and 2004 the International License application required riders to acknowledge and agree that:

I agree that the sole jurisdiction for resolving disputes that may arise shall be in the courts of the domicile of the UCI. By participating in a race where a drug test is conducted, in accordance with UCI, World Anti-doping Association (WADA) or U.S. Anti-Doping Agency (USADA) drug test regulations, I agree to submit to such testing. I further agree that when competing outside the United States or in international races the results of the analysis may be released to the public and communicated to my trade team, coach, or doctor in accordance with UCI and WADA regulations. I agree to allow my doctor and/or the doctor of my team, upon the request of the UCI or WADA, to release to UCI and WADA officials a list of medications or treatments administered to me before any specific

competition. I agree to submit any protests or disputes regarding drug testing when competing outside the United States or in international races to the Court of Arbitration for Sports (CAS), whose decision I shall accept as final. I agree that all urine samples in such cases taken shall become the property of the UCI and WADA, and that UCI and WADA may have them analyzed for any purpose, including, without limitation, general research and information on health protection. I accept these conditions regarding testing and agree to undergo all tests required of me.

11. In 2005, the acknowledgment and agreement was changed to read:

I am not aware of any reason why the requested license should not be issued. I have not requested a license from the International Cycling Union (UCI) or from any other national federation for the calendar year. I am solely responsible for the information contained in this application and for the use I shall make of the license. I shall undertake to respect and comply with the constitution and regulations of the UCI, its Continental Federations, and its National Federations. I declare having had the opportunity to read such constitution and regulations. I agree to compete in a sporting manner. I shall submit to disciplinary measures taken against me and shall take any appeals and litigation before the authorities provided for in the regulations. I accept the Court of Arbitration for Sport (CAS) as the only competent jurisdiction of appeal in the cases provided for by the Regulations and in compliance with the terms thereof. I accept that the decisions of CAS shall be final and binding and not subject to appeal. With that reservation, I shall submit any litigation with the UCI exclusively to the tribunals at UCI headquarters. I agree to submit to drug testing and to comply with and to be bound by the UCI anti-doping regulations, the World Anti-Doping Code and its International Standards to which the UCI anti-doping regulations refer as well as the anti-doping regulations of other competent instances as foreseen by the UCI Regulations, the World Anti-Doping Code, or the U.S. Anti-Doping Agency (USADA), provided such regulations comply with the World Anti-Doping Code. I further agree that the results of the analysis may be released to the public and communicated to my trade team, coach, or doctor in accordance with UCI and WADA regulations. I agree to allow my doctor and/or the doctor of my team, upon the request of the UCI or WADA, to release to UCI and WADA officials a list of medications or treatments administered to me before any specific competition. I agree that all urine samples in such cases taken shall become the property of the UCI and WADA, and that UCI and WADA may have them analyzed for any purpose, including, without limitation, general research and information on health protection. I accept these conditions regarding blood testing and agree to undergo all tests required of me.

12. When USAC issues a license, the back of the license reads, consistent with UCI Statutes 1.1.024, as follows, and USAC has endeavored to include language consistent with the mandated by UCI on its International licenses since at least the mid-1990s:

The holder agrees to abide by the regulations of the UCI and of the National Federations and accepts any drug and blood tests for which they provide, as well as the exclusive competence of the CAS.

13. Since at least 2002, USA Cycling regulations have included the following language:

Policy II. Medical Control

USA Cycling has a zero-tolerance policy for doping in our sport. Fair play is paramount in maintaining the integrity of bicycle racing and the athletes who participate in it at any level and discipline. USA Cycling is committed to working with the United States Olympic Committee, the UCI, the U.S. Anti-Doping Agency, and the World Anti-Doping Agency to ensure a level playing field for all of our athletes.

Any USA Cycling member could be tested at any event and must adhere to all USADA and/or UCI anti-doping control procedures in effect at the event.

Section 1. USA Cycling has adopted and participates in the United States Anti-Doping Agency (USADA) protocol for Olympic Movement testing (USADA protocol). The USADA protocol is incorporated herein by reference and shall prevail over any USA Cycling Regulation to the contrary. Their medical control regulations shall apply to USA Cycling, its Associations, and all members, licensees, participants in races granted permits by USA Cycling, and organizations affiliated with USA Cycling. For information on or a copy of the USADA protocol can be obtained from USADA at (800) 233-0393 or the USADA web site www.usantidoping.org.

In addition, UCI anti-doping controls are organized at many USA Cycling events. Any member may be subject to UCI testing at such events.

* * *

Section 3. Testing Procedures

The testing protocol will be that of the United States Anti-Doping Agency (USADA).

Section 4. Tests Results and Evidence.

All testing and results will be the responsibility of the United States Anti-Doping Agency (USADA).

Section 5. Disposition

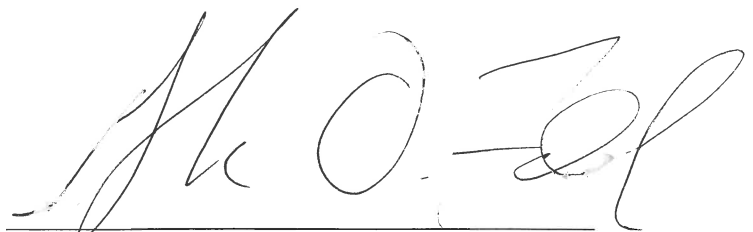
Any investigation, prosecution, and hearings shall be the responsibility of the United States Anti-Doping Agency (USADA). USA Cycling shall impose any sanction from the adjudication process when permitted under the USADA protocol and in accordance with the UCI approved sanctions.

14. Attached hereto as Exhibits H - R are USAC's rules for each of the ten years in which Lance Armstrong had a license during the period 1998 – 2011, with the exception that USAC has been unable to locate a copy of its rules for 1999.

15. With respect to each of the records referenced herein, I certify that I am a custodian of records for USA Cycling and that each of the following is true of such records: the record was made at or near the time by--or from information transmitted by--someone with knowledge; the record was kept in the course of a regularly conducted activity of a business, organization, occupation, or calling, whether or not for profit; and making the record was a regular practice of that activity.

16. The foregoing statements are true and accurate to the best of my knowledge, information and belief.

Dated this 19th day of July, 2012.



Shawn O. Farrell

Subscribed and sworn to before me by Shawn Farrell on this 19th day of July of 2012.

Witness my hand and official seal.

My commission expires: _____



Nancy Cowan
Notary Public

Address: 210 USA Cycling Pt.
Colorado Springs Co 80919